

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against: )  
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  )  
RONALD JEFFREY HEILPERN, M.D. )       Case No. 800-2017-029379  
  )  
Physician's and Surgeon's )  
Certificate No. A 41040 )  
  )  
Respondent )  
  )

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**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on April 16, 2018.

IT IS SO ORDERED April 9, 2018.

MEDICAL BOARD OF CALIFORNIA

By: Kimberly Kirchmeyer  
Kimberly Kirchmeyer  
Executive Director

XAVIER BECERRA  
Attorney General of California  
MATTHEW M. DAVIS  
Supervising Deputy Attorney General  
MARTIN W. HAGAN  
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State Bar No. 155553  
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*Attorneys for Complainant*

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation Against:**

Case No. 800-2017-029379

**RONALD JEFFREY HEILPERN, M.D.  
72-780A Country Club Drive, Suite 100  
Rancho Mirage, CA 92270**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

**Physician's and Surgeon's Certificate  
No. A41040**

**Respondent.**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

## PARTIES

1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Martin W. Hagan, Deputy Attorney General.

2. Ronald Jeffrey Heilpern, M.D. (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

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3. On or about July 30, 1984, the Board issued Physician's and Surgeon's Certificate No. A41040 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the causes of action brought in Accusation No. 800-2017-029379 and expired on December 31, 2017, and has not been renewed.

## **JURISDICTION**

4. On January 30, 2018, Accusation No. 800-2017-029379 was filed before the Board, and is currently pending against Respondent. A true and correct copy of Accusation No. 800-2017-029379 and all other statutorily required documents were properly served on Respondent on January 30, 2018. Respondent filed his Notice of Defense indicating that he wanted to surrender his Physician's and Surgeon's Certificate No. A41040. A copy of Accusation No. 800-2017-029379 is attached as Exhibit A and incorporated by reference as if fully set forth herein.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the causes of action and allegations in Accusation No. 800-2017-029379. Respondent also has carefully read, and fully understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the causes of action and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8: Respondent admits the truth of each and every cause of action and allegation in Accusation No. 800-2017-029379, and hereby surrenders his Physician's and Surgeon's Certificate No. A41040 for the Board's formal acceptance.

9. Respondent further agrees that if he ever petitions for reinstatement of his Physician's and Surgeon's Certificate No. A41040, if an accusation is ever filed against him before the Medical Board of California, all of the causes of action and allegations contained in Accusation No. 800-2017-029379 shall be deemed true, correct, and fully admitted by respondent for purposes of any such proceeding or any other licensing proceeding involving respondent in the State of California or elsewhere.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate No. A41040 without further process.

## **CONTINGENCY**

11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a . . . stipulation for surrender of a license.”

12. This Stipulated Surrender of License and Order shall be subject to approval of the Executive Director on behalf of the Medical Board. The parties agree that this Stipulated Surrender of License and Order shall be submitted to the Executive Director for her consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Order after receiving it. By signing this stipulation, respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

13. The parties agree that this Stipulated Surrender of License and Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the

1 Board, any member thereof, and/or any other person from future participation in this or any other  
2 matter affecting or involving respondent. In the event that the Executive Director on behalf of the  
3 Board does not, in her discretion, approve and adopt this Stipulated Surrender of License and  
4 Order, with the exception of this paragraph, it shall not become effective, shall be of no  
5 evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action  
6 by either party hereto. Respondent further agrees that should this Stipulated Surrender of License  
7 and Order be rejected for any reason by the Executive Director on behalf of the Board, respondent  
8 will assert no claim that the Executive Director, the Board, or any member thereof, was  
9 prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of  
10 License and Order or of any matter or matters related hereto.

11 **ADDITIONAL PROVISIONS**

12 14. This Stipulated Surrender of License and Order is intended by the parties herein to be  
13 an integrated writing representing the complete, final and exclusive embodiment of the  
14 agreements of the parties in the above-entitled matter.

15 15. The parties agree that copies of this Stipulated Surrender of License and Order,  
16 including copies of the signatures of the parties, may be used in lieu of original documents and  
17 signatures and, further, that such copies shall have the same force and effect as originals.

18 16. In consideration of the foregoing admissions and stipulations, the parties agree the  
19 Executive Director of the Medical Board may, without further notice to or opportunity to be heard  
20 by respondent, issue and enter the following Order on behalf of the Board:

21 **ORDER**

22 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A41040, issued  
23 to Respondent Ronald Jeffrey Heilpern, M.D., is surrendered and accepted by the Medical Board  
24 of California.

25 1. Respondent shall lose all rights and privileges as a physician and surgeon in  
26 California as of the effective date of the Board's Decision and Order.

27 2. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
28 issued, his wall certificate on or before the effective date of the Decision and Order.

1       3. If Respondent ever applies for licensure or petitions for reinstatement in the State of  
2 California, the Board shall treat it as a new application for licensure. Respondent must comply  
3 with all the laws, regulations and procedures for licensure in effect at the time the application or  
4 petition is filed, and all of the causes of action and allegations contained in Accusation No. 800-  
5 2017-029379 shall be deemed to be true, correct and admitted by Respondent when the Board  
6 determines whether to grant or deny the application or petition.

7       4. If Respondent should ever apply or reapply for a new license or certification, or  
8 petition for reinstatement of a license, by any other health care licensing agency in the State of  
9 California, all of the causes of action and allegations contained in Accusation, No. 800-2017-  
10 029379 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any  
11 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

12       5. With respect to the action that has been taken herein pursuant to California Business  
13 and Professions Code section 822, any future reinstatement of respondent's Physician's and  
14 Surgeon's Certificate No. A41040 shall be governed by the procedures contained in Article 12.5  
15 of Chapter 1 of Division 2 of the California Business and Professions Code. (Bus. & Prof. Code,  
16 § 823.)

## **ACCEPTANCE**

18 I have carefully read the Stipulated Surrender of License and Order. I understand the  
19 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into  
20 this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and  
21 agree to be bound by the Decision and Order of the Medical Board of California.

23 DATED: 3-1-18

**RONALD JEFFREY HEILPERN, M.D.**  
*Respondent*

## **ENDORSEMENT**

2 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
3 for consideration by the Medical Board of California of the Department of Consumer Affairs.

4 Dated: March 8, 2018

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MATTHEW M. DAVIS  
Supervising Deputy Attorney General

Mat. W. H.

MARTIN W. HAGAN  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2017-029379**

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FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO January 30 2018  
BY K. Voong ANALYST

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*Attorneys for Complainant*

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2017-029379

Ronald Jeffrey Heilpern, M.D.  
72-780A Country Club Drive, Suite 100  
Rancho Mirage, CA 92270

ACCUSATION

Physician's and Surgeon's Certificate  
No. A 41040,

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about July 30, 1984, the Medical Board issued Physician's and Surgeon's Certificate Number A 41040 to Ronald Jeffrey Heilpern, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and expired on December 31, 2017, and has not been renewed.

## **JURISDICTION**

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 820 of the Code states:

"Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822."

5. Section 822 of the Code states:

"If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

“(a) Revoking the licentiate’s certificate or license.

“(b) Suspending the licentiate’s right to practice..

“(c) Placing the licentiate on probation.

“(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

“The licensing agency shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person’s right to practice his or her profession may be safely reinstated.”

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## **SECTION 822 CAUSE FOR ACTION**

6. Respondent is subject to action under 822 of the Code in that he suffers from a mental illness and/or physical illness affecting competency, as more particularly alleged hereinafter:

7. On or about May and June 2015, Respondent was referred to, and evaluated by H.C., Ph.D., a licensed psychologist and neuropsychologist. Respondent was referred to Dr. H.C. from the Practitioner Well Being Committee at Eisenhower Medical Center (EMC) "for an evaluation of his higher cognitive functioning and affect to help assist in ongoing diagnostic planning" after concerns were raised after Respondent had, among other things, forgotten that he was on call, was dismissed from the GI emergency call list, exhibited occasional forgetfulness and confusion, and had shown up on at least two occasions at the wrong surgery center. After administering various tests and doing a mental status examination, Dr. H.C. found Respondent had "mild issues in executive dysfunction, including weak selective attention, weak incidental recall, decreased mental flexibility and retrieval of newly learned information, and decreased planning constructs, [which] all seem consistent with Cognitive Disorder, NOS (not otherwise specified), mild." She "recommended [Respondent] be evaluated neurologically to establish baseline neurological functions in light of the above noted mild cognitive issues."

8. On or about June 25, 2015, Dr. R.N., a board certified psychiatrist and neurologist, performed a neurological consult on Respondent. At that time, Dr. R.N. found "no convincing evidence of dementia" but noted that "a mild cognitive impairment cannot be entirely ruled out."

9. On or about July 29, 2015, Respondent had a follow up evaluation with Dr. R.N. Respondent and his wife reported that there were no significant cognitive issues with Respondent. Dr. R.N.'s assessment was that "[t]he patient does have a mild cognitive dysfunction probably of a degenerative etiology."

10. On or about April 20, 2016, Respondent had another follow up visit with Dr. R.N. Respondent and his wife, once again, reported there were no significant cognitive issues with Respondent. Dr. R.N. noted Respondent "continues to manifest tremor of both hands and left foot attributed to benign essential tremor." Dr. R.N. further noted "I cannot express any opinion with regards to his competency in performing his duties as a physician. But I can say that his

1 cognitive function has remained stable since his initial visit in June 2015." Lastly, Dr. R.N. noted  
2 "I wanted to see him in follow-up in six months but he decided to come back in one year. I'll be  
3 happy to see him earlier than his appointment if clinically necessary."

4 11. On or about January 7, 2017, the Medical Board's Central Complaint Unit (CCU)  
5 received a complaint against Respondent which raised concerns about his fitness to practice  
6 medicine due to physical limitations and cognitive decline.

7 12. On or about May 11, 2017, a Department of Consumer Affairs, Health Quality  
8 Investigation Unit (HQIU) investigator interviewed a potential witness, W-1, who expressed  
9 concern that Respondent had cognitive decline and physical issues which impaired his ability to  
10 safely perform colonoscopies.

11 13. On or about June 7, 2017, T.F, Ph.D., a board certified neuropsychologist, was  
12 retained by the Medical Board of California to conduct an independent neuropsychological  
13 evaluation to determine whether Respondent had a mental and/or physical impairment that  
14 impaired his ability to safely practice medicine.

15 14. On or about June 9, 2017, the HQIU investigator interviewed another potential  
16 witness, W-2, who also expressed concerns about Respondent's ability to safely perform  
17 colonoscopies due to physical and/or cognitive decline.

18 15. On or about June 23, 2017, Dr. T.F. conducted a neuropsychological clinical  
19 interview with Respondent and administered a battery of neuropsychological testing. At the  
20 completion of his evaluation, which included a review of relevant prior medical records, and  
21 other relevant documents, Dr. T.F. prepared a Neuropsychological Evaluation Report which  
22 generally set forth the relevant clinical data, his findings, and his summary and clinical  
23 impressions as to whether Respondent had a physical and/or mental impairment that interfered  
24 with Respondent's ability to safely practice medicine. After his full and complete evaluation, Dr.  
25 T.F. opined that Respondent was unable to safely practice medicine due to his physical and/or  
26 mental impairments.

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28 ////

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 41040, issued to Ronald Jeffrey Heilpern, M.D.;
2. Revoking, suspending or denying approval of Ronald Jeffrey Heilpern, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Ronald Jeffrey Heilpern, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: January 30, 2018

KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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